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CONSOLIDATION OF THE REGIME ESTABLISHED BY THE TREATY FOR THE PROHIBITION OF NUCLEAR WEAPONS IN LATIN AMERICA AND THE CARIBBEAN

Letter dated 22 September 1992 from the Permanent Representative of Mexico to the United Nations addressed to the Secretary-General

I have the honour to transmit to you herewith resolution 290 (VII) adopted by the General Conference of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean at its seventh special session, held in Mexico City, on 26 August 1992, which contains the amendments to the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (see annex) adopted on the proposal of Argentina, Brazil, Chile and Mexico.

As the depositary of the Treaty, the Government of Mexico would be grateful if you would have this letter and the annex hereto circulated as a document of the General Assembly, under agenda item 142.

(Signed) Jorge MONTAÑO
Ambassador
Permanent Representative of Mexico
to the United Nations

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ANNEX

Resolution 290 (VII) of the General Conference of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean

Amendments to the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean

The General Conference,

Recalling that, as indicated in the preamble to the Treaty for the Prohibition of Nuclear Weapons in Latin America, opened for signature in Mexico City on 14 February 1967, which entered into force on 25 April 1969, militarily denuclearized zones are not an end in themselves but rather a means for promoting the achievement of general and complete disarmament under effective international control, in accordance with established principles in the field in question, by the relevant organs of the United Nations,

Underlining the importance of achieving as soon as possible full application of the Treaty of Tlatelolco, once ratification by France of Additional Protocol I to that international instrument has been received, whereupon the two additional protocols will enter into force, whose goal it is, on the one hand, to safeguard the statute of denuclearization of the territories of the Latin American zone that are de jure or de facto under the control of extra-continental Powers and, on the other hand, to guarantee that the nuclear Powers respect the statute of denuclearization of Latin America,

Expressing its satisfaction at the decision by the Governments of Argentina, Brazil and Chile to take the necessary steps as soon as possible to enable the Treaty to enter fully into force in respect of each of those countries,

Respectfully urging the Latin American and Caribbean States in respect of which the Treaty is open for accession immediately to carry out the corresponding formalities so that they may become parties to that international instrument, thus contributing to one of the most noble causes uniting the Latin American continent,

Reaffirming how important it is that any amendment to the Treaty scrupulously respect the basic goals of that instrument and the fundamental elements of the necessary control and inspection system,

Resolves

To adopt and open for signature the following amendments to the Treaty:

Article 14

2. The Contracting Parties shall simultaneously forward to the Agency copies of the reports submitted to the International Atomic Energy Agency with regard to matters that are the subject of this Treaty that are relevant to the work of the Agency.

3. The information furnished by the Contracting Parties cannot be, totally or partially, disclosed or transmitted to third parties, by the recipients of the reports, except when the Contracting Parties give their express consent.

Article 15

1. At the request of any of the Parties and with the authorization of the Council, the General Secretary may request any of the Contracting Parties to provide the Agency with complementary or supplementary information regarding any extraordinary event or circumstance which may affect compliance with this Treaty, explaining his reasons. The Contracting Parties undertake to cooperate promptly and fully with the General Secretary.

2. The General Secretary shall immediately inform the Council and the Contracting Parties of such requests and the respective replies.

Current article 16 shall be replaced by the following text:

Article 16

1. The International Atomic Energy Agency has the power of carrying out special inspections, subject to article 12 and to the agreements referred to in article 13 of this Treaty.

2. At the request of any of the Contracting Parties in accordance with the procedures established in article 15 of this Treaty, the Council shall submit for consideration by the International Atomic Energy Agency a request that the necessary mechanisms be put into operation to carry out a special inspection.

3. The General Secretary shall request the Director General of the International Atomic Energy Agency opportunely to transmit to him the information forwarded for the knowledge of the Board of Governors of the International Atomic Energy Agency with regard to the conclusion of the special inspection. The General Secretary shall promptly make this information known to the Council.

4. The Council, through the General Secretary, shall transmit said information to all the Contracting Parties.

Article 19

The Agency may conclude such agreements with the International Atomic Energy Agency as are authorized by the General Conference and as it considers likely to facilitate the efficient operation of the control system established in the present Treaty.

And the remaining articles, from article 20 onwards, shall be renumbered:

Article 20

1. The Agency may also enter into relations with any international organization or body, especially any which may be established in the future to supervise disarmament or measures for the control of armaments in any part of the world.

2. The Contracting Parties may, if they see fit, request the advice of the Inter-American Nuclear Energy Commission on all technical matters connected with the application of this Treaty with which the Commission is competent to deal under its Statute.